

LINDSKOG et al.  
Appl. No. 09/757,084

### **REMARKS/ARGUMENTS**

Reexamination of the captioned application is respectfully requested.

#### **A. REQUEST FOR RECONSIDERATION OF REJECTED CLAIMS 2 - 6**

Applicants sincerely thank the Examiner for the allowance of claims 29, 30, 38, 39 and 49-56, and are hopeful that the following remarks will provide sufficient enlightenment so that claims 2 - 6 will be allowed as well.

Claims 2-6 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent 6,085,114 to Gibbons et al in view of U.S. Patent 5,682,379 to Mahany et al. All prior art rejections are respectfully traversed with respect to the still pending claims for at least the following reasons.

Applicants submit that neither of the applied references teach an important limitation of independent claim 2: the power status information being transmitted upon establishment of a connection between the mobile terminal and the LAN.

The final office action admits that U.S. Patent 6,085,114 to Gibbons et al does not teach power information being transmitted from a mobile unit upon communication. The office action seeks to remedy the deficiency of Gibbons by a postulated combination with U.S. Patent 5,682,379 to Mahany et al. In particular, concerning the claim 2 limitation quoted above the office action points to col. 3, line 66 - col. 4, line 9 of Mahany. Applicants contend that neither the cited portion of any other portion of Mahany teaches or suggests the claim 2 limitation.

The col. 3 - col. 4 excerpt from Mahany teaches that a second network device determines a range value between the first network device (mobile) and the second network device, and based on the range value, indicates to the first network device an

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appropriate, and potentially lower, data rate for subsequent data transmission to the second network device. In so doing, the second network device may consider battery parameter information received from the first network device and use that information along with the range value to indicate to the first network device an appropriate power level, as well as data rate, for subsequent transmissions by the first network device.

In the preceding paragraph Applicants have emphasized the double occurrence of the word subsequent in the Mahany disclosure. The use of the word subsequent reveals that Mahany does not teach or suggest power status information being transmitted upon establishment of a connection between the mobile terminal and the LAN. Use of the word subsequent clearly indicates that the power status information transmitted by the Mahany first unit is transmitted at some time prior to a connection being established. This is further evidenced by Mahany col. 14, lines 18+ which describe Fig. 8 and Fig. 9. Col. 14 of Mahany clearly states that this "subsequent" transmission is for "future transmissions between the two devices" (see, e.g., col. 14, line 38). Thus, Mahany does not teach transmission of power status information at the time of establishment of a connection.

Accordingly, it is respectfully submitted that the prior art rejection should be withdrawn and claims 2 - 6 should be allowed.

## B. MISCELLANEOUS

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

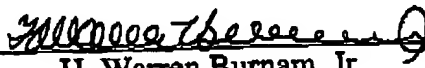
The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

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Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

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